

STATEMENT OF ECONOMIC IMPACT TO SMALL BUSINESSES

1. Name of Board, Committee or Council: Tennessee Massage Licensure Board

2. Rulemaking hearing date: October 25, 2006

3. Types of small businesses that will be directly affected by the proposed rules:

Amendments regarding reciprocity

- (a) Unlicensed massage therapists who are seeking licensure, and who are relocating from another state where they are licensed, and who are intending to be sole proprietors; and
- (b) Licensed massage establishments who seek to employ unlicensed massage therapists who are seeking licensure, and who are relocating from another state where they are licensed.

Amendment regarding continuing education

Continuing education course providers

4. Types of small businesses that will bear the cost of the proposed rules:

Amendments regarding reciprocity

The Board anticipates the proposed rule amendments will reduce, rather than increase, small business expenses.

Amendment regarding continuing education

Continuing education course providers

5. Types of small businesses that will directly benefit from the proposed rules:

Amendments regarding reciprocity

- (a) Unlicensed massage therapists who are seeking licensure, and who are relocating from another state where they are licensed, and who are intending to be sole proprietors; and
- (b) Licensed massage establishments who seek to employ unlicensed massage therapists who are seeking licensure, and who are relocating from another state where they are licensed.

Amendment regarding continuing education

Licensees who will benefit from taking higher quality courses.

6. Description of how small business will be adversely impacted by the proposed rules:

Amendments regarding reciprocity

The Board anticipates the proposed rule amendments will favorably, rather than adversely, impact small businesses.

Amendment regarding continuing education

Continuing education course providers will have to meet and prove they have met stricter and higher standards in order to have their courses approved and re-approved.

7. Alternatives to the proposed rule that will accomplish the same objectives but are less burdensome, and why they are not being proposed:

Amendments regarding reciprocity

The Board does not believe there are less burdensome alternatives because the intent of the proposed rule amendments is precisely that.

Amendment regarding continuing education

It would be less burdensome to not promulgate the proposed rule amendment at all, but this would be contrary to the Board's mission of protecting the health, safety, and welfare of the citizens of Tennessee. One way the Board realizes its mission is by ensuring the quality of the required continuing education.

8. Comparison of the proposed rule with federal or state counterparts:

Amendments regarding reciprocity

Federal - The Board is not aware of any federal counterparts.

State – A few of the other health-related licensing boards have statutes and/or rules that provide for exemption from some licensure requirements. However, it is more common to find other health-related licensing boards having statutes and/or rules which provide for exemption from licensure, itself.

Amendment regarding continuing education

Federal - The Board is not aware of any federal counterparts.

State – A few of the other health-related licensing boards have rules that require reapplication from course providers and that treat jurisprudence courses differently.